

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION**

CITY OF GALVESTON,
Plaintiff,

vs.

SONYA PORRETTO,
Defendant.

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CIVIL ACTION NO. 3:22-cv-00256

**THE CITY OF GALVESTON'S WITHDRAWAL OF NOTICE OF
VOLUNTARY DISMISSAL WITHOUT PREJUDICE**

The City of Galveston (“City”) withdraws its Notice of Voluntary Dismissal Without Prejudice (ECF No. 5) (the “Notice”).

After the City filed its Notice, Defendant Sonya Porretto (“Porretto”) advised counsel for the City that she purportedly had served an answer containing an invalid Certificate of Service on or about July 30, 2022.

The parties currently are conferring about whether agreement can be reached on a stipulation of dismissal under FED. R. CIV. P. 41(a)(1)(A)(ii).

Absent an agreement resulting in dismissal, the City will move to remand the case based upon Porretto’s improper removal.

Respectfully submitted,

By: /s/ Barry Abrams
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**ATTORNEYS FOR PLAINTIFF
THE CITY OF GALVESTON**

CERTIFICATE OF SERVICE

I certify that on August 3, 2022, a true and correct copy of the foregoing and/or attached instrument was served via the Court's Electronic Filing System on all parties requesting notice in this Proceeding.

/s/ Barry Abrams
Barry Abrams